

PRELIMINARY AMENDMENT

REMARKS/ARGUMENTS:

Objections to the Drawings:

The examiner objected to the drawing sheets submitted on January 10, 2008 having lines and numbers which are not well defined and uniformly thick. Enclosed are replacement sheets for sheets 1 and 3 which have lines which are well defined and uniformly thick.

The examiner objected to the drawings because reference elements 11A and 14 had been used to designate the same element. Element 11A designates a typical fork handle. Element 14 designates a fork head. Paragraph 0038 of the specification has been amended to clarify that element 11A designates a typical fork handle.

The examiner objected to the drawings because reference element 45 is not present in the specification. Paragraph 0040 of the specification has been amended to add element 45.

The examiner noted that in Fig. 9, the two vectors 44 and 45 do not appear to define an angle of curvature of less than 90 degrees as in claim 20 or less than 47 degrees as in claim 21. The applicant intends the angle of curvature to indicate the change in angle between the two vectors. If there were no angle of curvature between the two vectors, the angle between the vectors would be zero and would not be 180 degrees.

The examiner noted a number of informalities in the specification and the remaining uncanceled claims. By the above amendment the applicant has attempted to correct all of the noted informalities.

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Claim Rejections 35 USC 112, first paragraph:

The examiner rejected claims 20 and 21 under 35 USC 112. The applicant has canceled claims 20 and 21 so that this rejection is no longer at issue.

Claim Rejection 35 USC 103(a):

The examiner rejected claims 19- 21 under 35 USC 103(a) as being unpatentable over US Patent 9,687 by Cox in view of US Patent 203,072 by Centa. Because claims 20 and 21 have been canceled, only claim 19 remains at issue.

The applicant has added the further limitation to claim 19 specifying that the tines of the fork head present upward curvature when viewed from the side. Such upward curvature does not appear to be evident in either Cox or Centa.

Applicant also submits herewith a declaration by the inventor showing commercial success of universal forks manufactured in accordance with the specification and claim as amended above. Applicant notes that Cox issued in 1869 and that Centa issued in 1965 and that in the interim period, no one has succeeded in combining the teachings of Cox and Centa and then made further modifications in order to satisfy the long felt need of the public as evidenced by the substantial sales of universal forks made in accordance with the specification and claim.

Accordingly, applicant respectfully submits the above claim as amended defines non-obvious and patentable subject matter.

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Applicant respectfully submits that claim 19, as amended, is in proper form and defines allowable subject matter. Accordingly, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully Submitted,



8/25/2006

Date

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